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WILLIAM ORR,

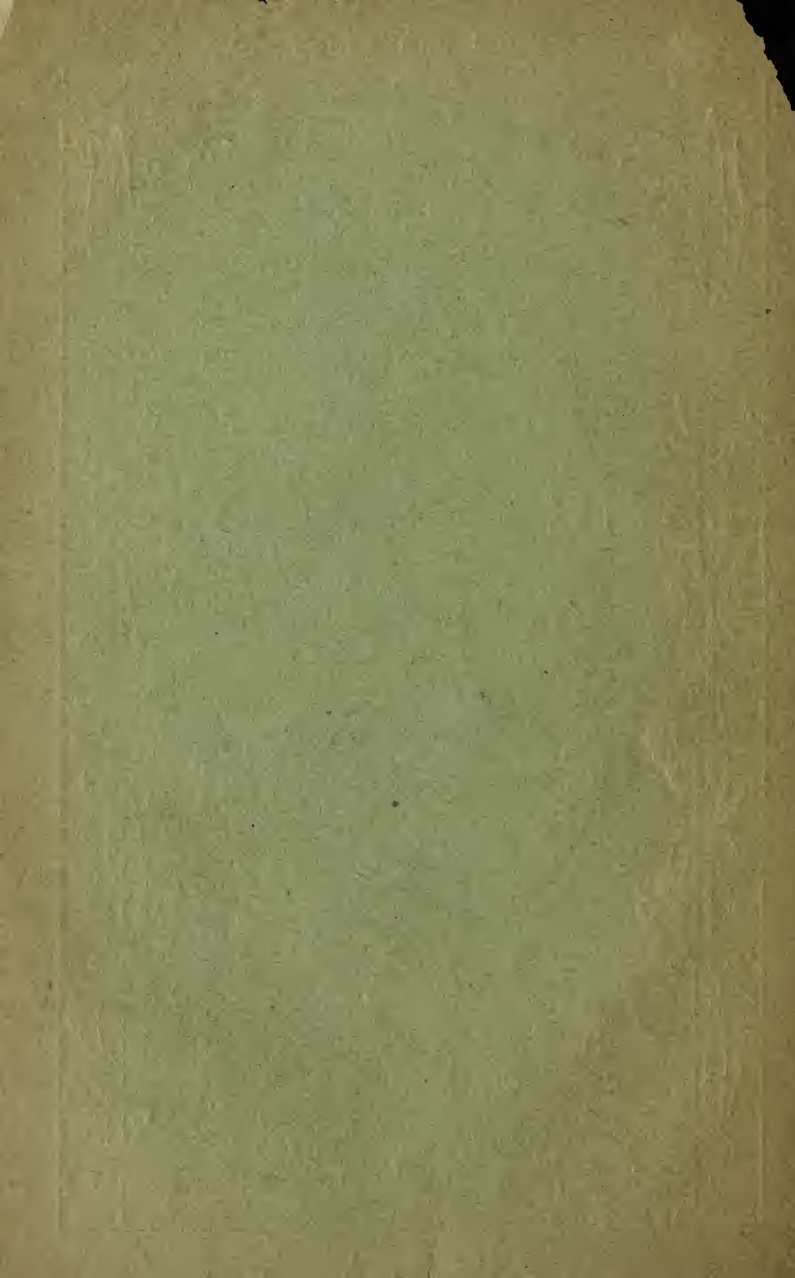


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'98 Centenary Committee's Publications.—No. 1.

THE STORY
OF
WILLIAM ORR.



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INTRODUCTION.

IT is the intention of the Committee to issue a series of pamphlets dealing with the lives of the United Irishmen, and the history of the Insurrection of 1798, and also to re-publish such of the literature of the period (including the memoirs and writings of the United Irish leaders) as may be of interest, in view of the approaching Centenary.

It is unnecessary to point out the want that at present exists in this respect, and in their effort to provide a cheap and ready means of bringing home to the people a knowledge of the men and times of a memorable epoch in the history of Ireland, the Committee rely on the assistance and support of all true Irishmen in effectually forwarding the circulation of the present and such other publications as they may be enabled to issue.

'98 CENTENARY COMMITTEE,
City Hall, Dublin,
October, 1897,

“Educate, that you may be free.”

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The Story of William Orr.

THE story of William Orr, the first Protestant martyr in the cause of Irish independence, opens one of the saddest but most glorious chapters in Irish history. To Wolfe Tone belongs the honour of having been the first to enunciate the principle which led to the foundation of the Society of United Irishmen, and which forms the ground-work of modern Irish nationality. "To unite the whole people of Ireland, to abolish the memory of all past dissensions, and to substitute the common name of Irishman in place of the denominations of Protestant, Catholic, and Dissenter,"—these were the means by which he laboured to achieve the national independence of Ireland. Tone has been truly called the first apostle of Irish union, but the first man to seal that union with his blood was the Antrim Presbyterian, William Orr.

Orr was the son of a farmer and bleach-green proprietor at Ferranshane, Co. Antrim. He had received a good education, and imbibing the liberal sentiments then so prevalent among his co-religionists in Ulster, he was from the first an advocate of the claims of his Catholic fellow-countrymen. When the United Irish Society was formed he became an active member. Endowed with the noblest qualities of mind and heart, his popularity in his native county was unbounded. His personal appearance is thus described by a contemporary:—

"He was precisely six feet two inches high, his figure was well proportioned and bespoke at once both strength and gracefulness, his step was firm, his gait

bold and martial, his carriage erect, and motion alert and easy. In his countenance there was something inexpressibly captivating and manly."

During the years 1796 and 1797 the people of Ireland were subjected to the fearful ordeal of withstanding a regular and organised system of persecution, in which the judicial tribunals of the country no less than a licentious soldiery were the instruments in the hands of a corrupt and unscrupulous government, whose notorious object was to goad the people into premature insurrection, whilst, on the other hand, the counsels of the United Irish leaders restrained the people from having recourse to armed resistance without aid from France, on which their chief hopes rested. In the month of March, 1796, the memorable Insurrection Act was passed, which made it a capital offence to administer the oath of the United Irishmen. This oath, which has been with truth called an oath of Christian charity, was in the following words:—

"In the awful presence of God, I, A.B., do voluntarily declare that I will persevere in endeavouring to form a brotherhood of affection among Irishmen of every religious persuasion, and that I will also persevere in my endeavours to obtain an equal, full, and adequate representation of all the people of Ireland. I do further declare that neither hopes, fears, rewards, or punishments shall ever induce me directly or indirectly to inform on or give evidence against any member or members of this or similar societies, for any act or expression of theirs done or made collectively or individually in or out of this society in pursuance of the spirit of this obligation."

The first victim selected by the Government to suffer under this arbitrary enactment was William Orr. He was arrested and brought to trial at Carrickfergus at the Summer Assizes of 1797, before Lord Yelverton and Mr. Justice Chamberlain, on the charge of having

administered the United Irishmen's oath to a soldier named Wheatley.

The first evidence was that of the soldier Wheatley, who swore that Orr administered to him the oath. The second witness was also a soldier, who swore to the administering of the oath, but had no recollection of its substance. The counsel for the defence contended that the offence (if any) was one triable as high treason and not under the Insurrection Act, but this point was overruled by the judges. The jury retired at six o'clock in the evening to consider their verdict. They sat up all night, and about six in the morning the Court was opened by Lord Yelverton, when the jury appeared and required to know whether they might not find some qualified verdict which should not affect the life of the prisoner. Lord Yelverton directed that they must find a general verdict of guilty or not guilty. The jury again retired, and shortly afterwards returned with a verdict of guilty, but recommended the prisoner to mercy.

On the following day Orr was brought into Court to receive sentence, and his counsel made a motion in arrest of judgment on the ground that the indictment was vague and the verdict illegal. The Court, however, refused to arrest judgment, and were proceeding to pronounce sentence when the prisoner's counsel brought under their notice an extraordinary event which had come to their knowledge. Two of the jurors had made an affidavit stating "that on the night of the trial a considerable quantity of spirituous liquor was conveyed into the jury-room and drunk by the jury, many of whom were greatly intoxicated, and threatened the two jurors who made the affidavit, and who admitted themselves also to have been in a state of intoxication, to prosecute them as United Irishmen if they did not bring in a verdict of guilty, and that at length, worn out by fatigue and drink,

and subdued by menaces, they did, contrary to their judgment, concur in that verdict." The judges refused to entertain this statement as calculated to discredit the verdict. Orr was again remanded, and on the next day he was brought up, when Lord Yelverton, in a very solemn and pathetic manner, pronounced sentence of death upon him. Orr (immediately after sentence) addressing the Court said:—"My Lord, that jury has convicted me of being a felon. My own heart tells me that their conviction is a falsehood, and that I am not a felon. If they have found me so improperly, it is worse for them than for me—for I can forgive them. I wish to say only one word more, and that is to declare upon this awful occasion, and in the presence of God, that the evidence against me was grossly perjured—grossly and wickedly perjured."

Every exertion was made on the part of Orr's family and friends to obtain a reprieve. The affidavit of the two jurors was followed up by the solemn declaration of others to the same effect. The principal witness, Wheatley (who afterwards became insane, and it is believed died by his own hand), struck with remorse, came forward, confessed his guilt, and deposed before a magistrate that his testimony against Orr was false. These documents, with numerous petitions, were laid before the Viceroy, Lord Camden, who, however, was deaf to all appeals. Orr was three times respited, but these respites only served to embitter the affliction of his family and friends.

During his imprisonment he was visited by one of his associates, who, in the columns of *The Press* afterwards, gave an interesting account of his interview with him. A conspicuous article of Orr's attire was a green neck-tie which he wore during his imprisonment and trial. He talked freely of the state of the country, and in deploring the tyrannical conduct of the Government said:—"He never pitied the Catholics half so much as

since he was put in prison. It was no wonder they complained, for they had suffered cruelly, and now other people were suffering as much as they. Can anything," he continued, "be more dreadful than robbing the people of their arms? It is both injustice and ingratitude to the bravest nation on earth. Well," said he, smiling, "all ground of jealousy between us and the Catholics is now done away. They have denied us reform and them emancipation. They would not allow them to get arms nor us to keep ours; they have oppressed them with penal laws and us with military ones. We are all equally subject to the tender, to dungeons and to death. There is nothing surer than that Irishmen of every denomination must stand or fall together."

Up to the last moment hopes were entertained that the Government would not dare to carry out the sentence in the face of the overwhelming evidence of perjury and intimidation in the course of the trial, but great and widespread was the indignation of the people when the news went forth that Orr had been executed at Carrickfergus on the 14th October. A correspondent of *The Press* newspaper wrote from Carrickfergus on that memorable day—"The inhabitants of this town, man, woman, and child, quit the place this day rather than be present at the execution of their hapless countryman, Mr. Orr. Some removed to the distance of many miles—scarce a sentence was interchanged during the day, and every face presented a picture of the deepest melancholy, horror, and indignation. The military who attended the execution consisted of several thousand men, horse and foot, with cannon and a company of artillery—the whole forming a hollow square. To these Mr. Orr read his dying declaration in a clear, strong, manly tone of voice, and his deportment was firm, unshaken, and impressive to the last moment of his existence. He was a Dissenter

of exemplary morals and of most industrious habits, and in the characters of husband, father, and neighbour eminently amiable and respected. The love he bore his country was pure, ardent and disinterested—spurning all religious distinctions, and his last accents articulated the prophetic hope that Ireland would soon be emancipated.”

The following is the Dying Declaration of Orr, containing his last words to his countrymen—one of the noblest and most impressive of the Speeches from the Dock :—

“My Friends and Fellow-countrymen,

“In the thirty-first year of my life, I have been sentenced to die upon the gallows, and this sentence has been in pursuance of a verdict of twelve men, who should have been indifferently and impartially chosen ; how far they have been so, I leave to that country from which they have been chosen, to determine ; and how far they have discharged their duty, I leave to their God and to themselves.—They have, in pronouncing their verdict, thought proper to recommend me as an object of humane mercy ; in return, I pray to God, if they have erred, to have mercy upon them. The Judge, who condemned me, humanely shed tears in uttering my sentence ; but whether he did wisely, in so highly commending the wretched informer who swore away my life, I leave to his own cool reflection, solemnly assuring him and all the world, with my dying breath, that the informer was forsworn. The law under which I suffer is surely a severe one ; may the makers and promoters of it be justified in the integrity of their motives and the purity of their own lives—by that law, I am stamped a felon, but my heart disdains the imputation. My comfortable lot and industrious course of life, best refute the charge of being an adventurer for plunder : but if to have loved my country, to have known its wrongs, to have felt the injuries of the per-

secuted Catholics, and to have united with them and all other religious persuasions, in the most orderly and least sanguinary means of procuring redress—if those be felonies, I am a felon, but not otherwise. Had my counsel (for whose honourable exertions I am indebted) prevailed in their motion to have me tried for high treason, rather than under the *Insurrection Law*, I should have been entitled then to a full defence, and my actions and intentions have been better vindicated; but that was refused, and I must now submit to what has passed.

“To the generous protection of my country, I leave a beloved wife, who has been constant and true to me, and whose grief for my fate has already nearly occasioned her death. I leave five living children, who have been my delight—may they love their country as I have done, and die for it if needful.

“Lastly, a false and ungenerous publication having appeared in a newspaper stating, certain newspaper alleged confessions of guilt on my part, and thus striking at my reputation, which is dearer to me than life, I take this solemn method of contradicting that calumny: I was applied to by the High-Sheriff, and the Rev. William Bristow, Sovereign of Belfast, to make a confession of guilt, who used entreaties to that effect; this I peremptorily refused; did I think myself guilty, I should be free to confess it, but, on the contrary, I glory in my innocence.

“I trust that all my virtuous countrymen will bear me in their kind remembrance, and continue true and faithful to each other, as I have been to all of them. With this last wish of my heart, not doubting of the success of that cause for which I suffer, and hoping for God’s merciful forgiveness of such offences as my frail nature may have at any time betrayed me into, I die in peace and charity with all mankind.

“WILLIAM ORR.

“*Carriickfergus Gaol, October 5, 1797.*”

No act of the Government or its agents throughout the struggle of '98 roused such universal indignation and resentment as the execution of Orr. The feelings of the United Irishmen after the fate of their "murdered brother" are best portrayed in the immortal lines of Dr. Drennan, the poet-patriot of the movement :—

WAKE OF WILLIAM ORR.

Here our worthy brother lies ;
Wake not *him* with woman's cries :
Mourn the way that manhood ought ;
Sit in silent trance of thought.

Write his merits on your mind ;
Morals pure and manners kind ;
In his head as on a hill,
Virtue placed her citadel.

Why cut off in palmy youth ?
Truth he spoke, and acted truth.
Countrymen UNITE, he cry'd,
And died—for what his Saviour died.

God of peace, and God of love,
Let it not Thy vengeance move ;
Let it not Thy lightnings draw ;
A Nation guillotined by law.

Hapless Nation ! rent and torn,
Thou wert early taught to mourn,
Warfare of six hundred years !
Epochs marked with blood and tears !

Hunted thro' thy native grounds,
Or flung *reward* to human hounds ;
Each one pull'd and tore his share,
Heedless of thy deep despair.

Hapless Nation—hapless Land,
Heap of uncementing sand !
Crumbled by a foreign weight ;
And by worse, domestic hate.

God of mercy ! God of peace !
 Make the mad confusion cease ;
 O'er the mental chaos move,
 Through it SPEAK the light of love.

Monstrous and unhappy sight !
 Brothers' blood will not unite ;
 Holy oil and holy water,
 Mix, and fill the world with slaughter.

Who is she with aspect wild ?
 The widow'd mother with her child,
 Child new stirring in the womb !
 Husband waiting for the tomb !

Angel of this sacred place,
 Calm her soul and whisper peace,
 Cord, or axe, or guillotine
 Make the sentence—not the sin.

Here we watch our brothers sleep ;
 Watch with us ; but do not weep ;
 Watch with us thro' dead of night,
 But expect the morning light.

Conquer fortune—persevere !—
 Lo ! it breaks, the morning clear !
 The cheerful cock awakes the skies,
 The day is come—ARISE !—ARISE.

Feminis lugere honestum est,
 Viris meminisse.

Ballymore, October, 1797.

But it was no transient outburst of grief and anger. During the eight months that intervened between that 14th of October and the outbreak of the insurrection in the following June, his name became the watchword of the United Irishmen. When the summons to arms went forth on the night of the 7th of June, the United men of Antrim and Down answered the call of their leaders, and the command, "Lead on, boys ! Remember Orr !" was the signal for onslaught on many a stronghold of their country's enemies.

Nor was the feeling of indignation confined to Orr's native province. In the metropolis the resentment of the people was openly expressed, and in the columns of *The Press* an able and trenchant letter appeared under the signature of "Marcus," addressed to the Lord Lieutenant, in which the writer denounced the action of the Executive in unmeasured terms. For the publication of this letter, the printer of *The Press* (Peter Finerty) was arrested and brought to trial. Curran's speech on behalf of Finerty is not only one of the finest specimens of forensic oratory on record, but gives a vivid picture of the policy of exasperation which the Government had adopted with the deliberate object of goading the people into premature insurrection.

THE GRAVE OF ORR.

The grave of William Orr lies in the little graveyard beside the village of Templepatrick, which is on the direct road between Belfast and Antrim town. The gateway of the graveyard is within the grounds of Castle Upton, the seat of Lord Templeton. The graveyard is an exceedingly picturesque one, and the grave of Orr is in summer a beautiful sight. At its head stands a rough grey stone with no inscription save the name of Orr's mother. A red rose tree climbs through the branches of a gloomy yew, and hangs in blossomy festoons over the grave of the patriot, scattering down upon it the fragrant rose leaves. At Carrickfergus, the Courthouse where Orr was tried is still to be seen, as well as the jury room where

"The jury drunk agreed
That Irish was his creed."

The condemned cell was destroyed, with the greater part of the old prison, during the present year, but Mr. R. Welch, photographer, Belfast, at the instigation of a

prominent Belfast antiquarian, secured views of all the interesting parts of the old prison. Amongst the last persons who visited the scene of Orr's incarceration was



THE GRAVE OF WILLIAM ORR.

Miss Maud Gonne, who made a full investigation of every part of the prison before it was destroyed to make room for a militia barracks. Wolfe Tone is said to have

composed, as an epitaph for Orr, the following, which was circulated on memorial cards among the United Irishmen in the months following his martyrdom :—

SACRED TO THE MEMORY

OF

WILLIAM ORR,

Who was sacrificed at Carrickfergus,
On Saturday, the 14th of October, 1797 ;
An awful immolation to Liberty, on the altar
of — Tyranny.

By the hands of Perjury, through the influence
of corruption, and the connivance of
partial justice.

IRISHMEN ! WHEN YOU FORGET HIM,
His cause, his death,

Nor these avenge, may you be debarred
That liberty he sought, and forgotten in the
History of Nations.

NO, IRISHMEN ! Let us bear him in
steadfast memory.

Let his fate nerve the martial arm
To wreak the wrongs of injured Erin,
And assert her undoubted claim.

LET ORR BE THE WATCHWORD OF
LIBERTY !

APPENDIX.

AFFIDAVITS OF THE JURORS.

“ Arthur Johnston, and Archibald Tompson, two of the jury who were impanelled to try William Orr, depose on the Holy Evangelists, and say, that after they had retired to their jury-room to consider their verdict, two bottles of very strong whiskey spirits were conveyed into their jury-room through the window thereof, and given to, and the greater part thereof drank by the said jurors, some of whom became very sick, and unwell, which occasioned their vomiting before they gave their verdict. And deponent Tompson says, that he was by age and infirmity, and intimidation used to him by Mr. James M'Neighton, one of said jury, induced to concur in said verdict, contrary to his opinion.

“ Sworn before me, this 20th of Sept. 1797, in court.

“ YELVERTON.

“ *Arthur Johnston,*

“ *Arch. Tompson.*”

“ George Crooks, of Innischcloughlin, in the county of Antrim, farmer, maketh oath, and saith, that he, this deponent, was one of the jury who was on the trial of William Orr, who was charged with administering oaths. Deponent saith, he was resolved to acquit the same William Orr, but for the representations of some of his fellow-jurors, who informed this deponent, that in case they, the said jury, should return a verdict of guilty, the said William Orr would not be punished with death. Deponent further saith, that if he had at that time known that the consequence of returning

a verdict of guilty on the said William Orr, would be punishable with death, he, this deponent in that case, would not have consented to such a verdict, but would have insisted and persevered in returning a verdict of the said William Orr's not being guilty.

"Sworn before me, this 20th of Sept. 1797, in court.

"YELVERTON.

"*George Crooks.*"

LETTER FROM JAMES ORR.

TO THE PUBLIC.

"In consequence of seeing a paragraph in the Belfast newspaper, signed by C. Skeffington, Esq., High Sheriff of the co. of Antrim, and the Rev. William Bristow, Sovereign of Belfast, relative to the Declaration of my late brother, I am therefore induced, in justice to the character of my brother and myself, to lay the whole of that transaction before the public.—A few days after my brother was found guilty and sentenced to die, I went to Belfast and applied to many gentlemen, for the purpose of using their interest to have the punishment of my brother mitigated, and in the presence of Mr. James Dickey, of Randalstown, and Mr. Thomas L. Stewart, of Belfast, I applied to Mr. Staples, a member of Parliament for this county, and the Hon. Wm. John Skeffington, for the above purpose, who proposed, if I would get a written confession of guilt from my brother, that they would sign a memorial for the purpose of obtaining his pardon, and the Hon. Wm. John Skeffington said 'he would go round the gentlemen of the Grand Jury, who were then mostly in Belfast, and get the memorial signed by them.' In consequence of which I got a written confession prepared before I left Belfast, and produced it to the Hon. Wm. John Skeffington, and asked him if it was full enough? to which he agreed.—I accordingly went to

Carrickfergus and applied to my brother to sign the confession which I produced to him, telling him, 'if he would sign it, the above gentlemen would sign a memorial to obtain his pardon, and get the rest of the Grand Jury to do so.'—On his reading the written confession he declared, 'he never would consent to sign a paper acknowledging his guilt and the justice of his sentence, as he was not guilty of the crime he was charged with.' Not being able to induce him to consent to the above, I left him; and conceiving it would be of very material use, and be the means of saving his life—for this purpose, and through that view I signed in his name, the confession of guilt, entirely without the privity or consent of my brother, and immediately returned to Belfast, and delivered it to the Hon. Wm. John Skeffington, as the act of my brother, with which I believe he went round to the above gentlemen, in order to obtain their signatures to the memorial, which they refused. This was the whole transaction, being entirely my act, and not that of my brother, as he utterly refused. This I am ready to verify upon oath.

“JAMES ORR.

“*Cranfield, October 17.*”

MARCUS' LETTER.

“*To His Excellency The Lord Lieutenant.*

“MY LORD,—I address your Excellency on a subject as awful and interesting as any that hath engaged the feelings of this suffering country. The oppression of an individual leads to the oppression of every member in the State, as his death, however speciously palliated by forms, may lead to the death of the Constitution. Your Lordship already anticipates me; and your conscience has told you that I allude to the circumstance of Mr. Orr, whose case every man has now made his own, by

discovering the principle on which Mr. Pitt sent you to *execute* his orders in Ireland.

“The death of Mr. Orr, the nation has pronounced one of the most sanguinary and savage acts that had disgraced the laws. In perjury, did you not hear, my Lord, the verdict was given? Perjury, accompanied with terror, as terror has marked every step of your Government; vengeance and desolation were to fall on those who would not plunge themselves in blood. These were not strong enough: against the express law of the land, not only was drink introduced to the jury, but drunkenness itself, beastly and criminal drunkenness, was employed to procure the murder of a better man than any that now surrounds you. But well may juries think themselves justified in their drunken verdicts, if debauched and drunken Judges, swilling spirits on the seat of Justice itself, shall set the country so *excellent* an example.

“Repentance, which is a slow virtue, hastened, however, to declare the innocence of the victim. The mischief which perjury had done, truth now stepped forward to repair; neither was she too late, had humanity formed any part of your counsels. Stung with remorse, on the return of reason, part of his jury solemnly and soberly made oath that their verdict had been given under the unhappy influence of intimidation and drink; and in the most serious affidavit that ever was made, by acknowledging their crime, endeavoured to atone to God and to their country for the sin into which they had been seduced.

“The informer, too, a man, it must be owned, not much famed for veracity, but stung with the like remorse, deposed that all he had formerly sworn was malicious and untrue, and that from compunction alone he was induced to make a full disclosure of his great and enormous guilt. In this confession the wicked man had no temptation to perjury; he was not to be paid

for *that*; he had not in view, like another Judas, the '*thirty pieces of silver*;' if he was to receive his reward he knew he must not look for it in *this* world.

"Those testimonies were followed by the solemn declaration of the dying man himself; and the approach of death is not a moment when men are given to deceive both themselves and the world; good and religious men are not apt, by perjury on their death-beds, to close the gates of Heaven against themselves, like those who have no hope. But if these solemn declarations do not deserve regard, then is there no truth in justice; and though the innocence of the accused had even remained doubtful, it was your duty, my Lord, and you had no exemption from that duty, to have interposed your arm, and saved him from the death that perjury, drunkenness, and reward had prepared for him.

"Let not the nation be told that you are a passive instrument in the hands of others; if passive you be, then is your office a shadow indeed; if an active instrument, as you ought to be, you did not perform the duty which the laws required of you—you did not exercise the prerogative of mercy—that mercy which the Constitution had entrusted to you for the safety of the subject, by guarding him from the oppression of wicked men. Innocent it appears he was; his blood has been shed, and the precedent indeed is awful.

"Had Frazier and Ross been found guilty of the murder committed on a harmless and industrious peasant, lay your hand to your heart, my Lord, and answer without advisers, would you not have pardoned those ruffians? After the proof you have given of your mercy, I must suppose your clemency unbounded. Have no Orangemen, convicted on the purest evidence, been at any time pardoned? Is not their oath of blood connived at? Was not that oath manufactured at the command of power? and does not power itself discipline those brigands? But suppose the evidence of Wheatley

had been true, what was the offence of Mr. Orr? Not that he had taken an oath of blood and extermination—for then he had not suffered—but that he had taken an oath of charity and of union, of humanity and of peace. He has suffered: shall we then be told, that *your* government will conciliate public opinion, or that the people will not continue to look for a better?

“Was the unhappy man respited but to torture him, to insult both justice and the nation, to carry persecution into the bosom of his wife and children? Is this the prerogative of mercy? What would your father have said unto you, had he lived to witness this falling off? ‘Son,’ he would have said, ‘I am a father; I have a *daughter*; I have known misfortune; the world has pitied me, and I am not ungrateful.’

“Let us explore the causes of this sanguinary destruction of the people. Is it that you are determined to revenge the regret expressed by them at the recall of your predecessor; and well knowing they will not shed tears at the departure of his successor, that you are resolved to make them weep during your stay? Yes, my Lord, I repeat *during your stay*, for it may not be necessary that a Royal yacht, manned and decorated for the purpose, should waft you from the shores of an angered and insulted country.

“Another cause: Is it to be wondered that a successor of Lord *Fitzwilliam* should sign the death-warrant of Mr. *Orr*? Mr. *Pitt* had learned that a merciful Lord Lieutenant was unsuited to a government of violence. It was no compliment to the native clemency of a CAMDEN, that he sent you into Ireland: and what has been our portion under the change, but massacre and rape, military murders, desolation and terror?

“Had you spared Mr. Orr, you thought perhaps the numerous families of those whom your administration had devoted might accuse you of partiality: and thus

to prove your consistency, you are content to be suspected of wanting the only quality *this* country wishes you to exercise.

“But, my Lord, it will not do—though your guards and your soldiers, and your thousands, and your tens of thousands, should conduct innocence to death, it will not do—a voice has cried in the wilderness; and let the deserted streets of Carrickfergus proclaim to all the world that good men will not be intimidated, and that they are yet more numerous than your soldiers.

“We are not Domitian’s people; we are not lopped at a blow; but it looks as if some fate had doomed us to be destroyed one by one, as the Persian tyrant ordered the hairs to be plucked from the tail of his beast. Beasts we have been, the vile carriers of the vilest burdens that the vilest masters could lay upon us. But the yoke is shaken: persecution has provoked to love, and *united* Ireland against foreign despotism.

“Feasting in your Castle, in the midst of your myrmidons and bishops, you have little concerned yourself about the expelled and miserable cottager, whose dwelling, at the moment of your mirth, was in flames; his wife and his daughter then under the violation of some commissioned ravager; his son agonizing on the bayonet, and his helpless infants crying in vain for mercy. These are lamentations that stain not the hour of carousal. Under intoxicated counsels the Constitution has reeled to its centre: justice herself is not only blind drunk, but deaf, like Festus, to ‘the words of soberness and truth.’

“My Lord, the people of Ireland did hope that mercy would not have been denied to a most worthy and innocent man, when they understood, that one of the worst advisers and most imperious members of your Cabinet, had abandoned the Kingdom. Had he been of your late counsels, the odium might have been divided; at present you have the best claim to it. Let,

however, the awful execution of Mr. Orr be a lesson to all unthinking juries; and let them cease to flatter themselves that the soberest recommendation of theirs and of the presiding Judge, can stop the course of carnage which sanguinary, and I do not fear to say, *unconstitutional laws* have ordered to be loosed: let them remember that, like Macbeth, the servants of the Crown have waded so far in blood, that they find it easier to go on than go back.

“I am, my Lord,

“Your Excellency’s humble servant,

“MARCUS.”

CURRAN’S SPEECH FOR PETER FINERTY.

Let me beg of you for a moment to suppose that any one of you had been the writer of this very severe expostulation with the Viceroy, and that you had been the witness of the whole progress of this never-to-be forgotten catastrophe.

Let me suppose that you had known the charge upon which Mr. Orr was apprehended—the charge of abjuring that bigotry which had torn and disgraced his country—of pledging himself to restore the people of his country to their place in the constitution—and of binding himself never to be the betrayer of his fellow-labourers in that enterprise; that you had seen him upon that charge removed from his industry, and confined in a gaol; that through the slow and lingering progress of twelve tedious months you had seen him confined in a dungeon, shut out from the common use of air and of his own limbs; that day after day you had marked the unhappy captive cheered by no sound but the cries of his family, or the clinking of chains; that you had seen him at last brought to his trial; that you had seen the vile and perjured informer deposing against his life; that you had seen the

drunken, and worn-out, and terrified jury give in a verdict of death ; that you had seen the same jury when their returning sobriety had brought back their conscience, prostrate themselves before the humanity of the bench, and pray that the mercy of the crown might save their characters from the reproach of an involuntary crime, their consciences from the torture of eternal self-condemnation, and their souls from the indelible stain of innocent blood.

Let me suppose that you had seen the respite given, and that contrite and honest recommendation transmitted to that seat where mercy was presumed to dwell—that new and before unheard-of crimes are discovered against the informer—that the royal mercy seems to relent, and that a new respite is sent to the prisoner—that time is taken, as the learned counsel for the crown has expressed it, to see whether mercy could be extended or not !—that after that period of lingering deliberation passed, a third respite is transmitted—that the unhappy captive himself feels the cheering hope of being restored to a family that he had adored, to a character that he had never stained, and to a country that he had ever loved—that you had seen his wife and children upon their knees, giving those tears to gratitude, which their locked and frozen hearts could not give to anguish and despair, and imploring the blessings of Eternal Providence upon his head, who had graciously spared the father, and restored him to his children—that you had seen the olive branch sent into his little ark, but no sign that the waters had subsided.

“ Alas !

Nor wife, nor children more shall he behold—
Nor friends, nor sacred home !”

No seraph mercy unbars his dungeon, and leads him forth to light and life ; but the minister of death hurries him to the scene of suffering and of shame, where, unmoved by the hostile array of artillery and

armed men collected together, to secure, or to insult, or to disturb him, he dies with a solemn declaration of his innocence, and utters his last breath, in a prayer for the liberty of his country.

Let me now ask you, if any of you had addressed the public ear upon so foul and monstrous a subject, in what language would you have conveyed the feelings of horror and indignation! Would you have stooped to the meanness of qualified complaint?—would you have checked your feelings to search for courtly and gaudy language?—would you have been mean enough—but I entreat your forgiveness—I do not think meanly of you. Had I thought so meanly of you, I could not suffer my mind to commune with you as it has done; had I thought you that base and vile instrument, attuned by hope and by fear into discord and falsehood, from whose vulgar string no groan of suffering could vibrate, no voice of integrity or honour could speak, let me honestly tell you, I should have scorned to fling my hand across it—I should have left it to a fitter minstrel. If I do not, therefore, grossly err in my opinion of you, I could use no language upon such a subject as this, that must not lag behind the rapidity of your feelings, and that would not disgrace those feelings, if it attempted to describe them.

Gentlemen, I am not unconscious that the learned counsel for the crown seemed to address you with a confidence of a very different kind; he seemed to expect from you a kind and respectful sympathy with the feelings of the Castle, and with the griefs of chided authority. Perhaps, gentlemen, he may know you better than I do. If he does, he has spoken to you as he ought; he has been right in telling you, that if the reprobation of this writer is weak, it is because his genius could not make it stronger; he has been right in telling you, that his language has not been braided and festooned as elegantly as it might—that he has

not pinched the miserable plaits of his phraseology, nor placed his patches and feathers with that correctness of millinery which became so exalted a person.

If you agree with him, gentlemen of the jury—if you think that the man who ventures, at the hazard of his own life, to rescue from the deep the drowning honour of his country, you must not presume upon the guilty familiarity of plucking it up by the locks. I have no more to say; do a courteous thing. Upright and honest jurors, find a civil and obliging verdict against the printer! And when you have done so, march through the ranks of your fellow-citizens to your own homes, and bear their looks as you pass along. Retire to the bosom of your families and your children, and when you are presiding over the morality of the parental board, tell those infants, who are to be the future men of Ireland, the history of this day. Form their young minds by your precepts, and confirm those precepts by your own example—teach them how discreetly allegiance may be perjured on the table, or loyalty be forsworn in the jury-box; and when you have done so, tell them the story of Orr—tell them of his captivity, of his children, of his crime, of his hopes, of his disappointments, of his courage, and of his death; and when you find your little hearers hanging from your lips—when you see their eyes overflow with sympathy and sorrow—and their young hearts bursting with the pangs of anticipated orphanage—tell them that you had the boldness and the justice to stigmatize the monster who had dared to publish the transaction!

The learned counsel has asserted that the paper which he prosecutes is only part of a system formed to misrepresent the state of Ireland and the conduct of its government. Do you not, therefore, discover that his object is to procure a verdict to sanction the parliaments of both countries in refusing an inquiry into your grievances? Let me ask you, then, are you pre-

pared to say, upon your oath, that those measures of coercion, which are daily practised, are absolutely necessary, and ought to be continued? It is not upon Finerty you are sitting in judgment; but you are sitting in judgment upon the lives and liberties of the inhabitants of more than half of Ireland. You are to say that it is a foul proceeding to condemn the government of Ireland; that it is a foul act, founded in foul motives, and originating in falsehood and sedition; that it is an attack upon a government, under which the people are prosperous and happy; that justice is administered with mercy; that the statements made in Great Britain are false—are the effusions of party or of discontent; that all is mildness and tranquillity; that there are no burnings—no transportations; that you never travel by the light of conflagrations; that the gaols are not crowded month after month, from which prisoners are taken out, not for trial, but for embarkation! These are the questions upon which, I say, you must virtually decide. It is in vain that the counsel for the crown may tell you that I am misrepresenting the case—that I am endeavouring to raise false fears, and to take advantage of your passions—that the question is, whether this paper be a libel or not—and that the circumstances of the country have nothing to do with it. Such assertions must be vain. The statement of the counsel for the crown has forced the introduction of those important topics; and I appeal to your own hearts whether the country is misrepresented, and whether the government is misrepresented.

I tell you, therefore, gentlemen of the jury, it is not with respect to Mr. Orr, or Mr. Finerty, that your verdict is now sought. You are called upon, on your oaths, to say, that the government is wise and merciful—the people prosperous and happy; that military law ought to be continued; that the constitution could not

with safety be restored to Ireland ; and that the statements of a contrary import by your advocates, in either country, are libellous and false.

I tell you these are the questions ; and I ask you, if you can have the front to give the expected answer in the face of a community who know the country as well as you do ? Let me ask you, how you could reconcile with such a verdict, the gaols, the tenders, the gibbets, the conflagrations, the murders, the proclamations that we hear of every day in the streets, and see every day in the country ? What are the prosecutions of the learned counsel himself, circuit after circuit ? Merciful God ! what is the state of Ireland, and where shall you find the wretched inhabitant of this land ? You may find him, perhaps, in a gaol, the only place of security—I had almost said of ordinary habitation ! If you do not find him there, you may see him flying with his family from the flames of his own dwelling—lighted to his dungeon by the conflagration of his hovel ; or you may find his bones bleaching on the green fields of his country ; or you may find him tossing on the surface of the ocean, and mingling his groans with those tempests, less savage than his persecutors, that drift him to a returnless distance from his family and his home, without charge, or trial, or sentence. Is this a foul misrepresentation ? Or can you, with these facts ringing in your ears, and staring in your face, say, upon your oaths, they do not exist ? You are called upon, in defiance of shame, of truth, of honour, to deny the sufferings under which you groan, and to flatter the persecution that tramples you under foot.

Gentlemen, I am not accustomed to speak of circumstances of this kind ; and though familiarized as I have been to them, when I come to speak of them, my power fails me—my voice dies within me. I am not able to call upon you. It is now I ought to have strength—it is now I ought to have energy and voice.

But I have none ; I am like the unfortunate state of the country—perhaps, like you. This is the time in which I ought to speak, if I can, or be dumb for ever ; in which, if you do not speak as *you* ought, *you* ought to be dumb for ever.

But the learned gentleman is further pleased to say, that the traverser has charged the government with the encouragement of informers. This, gentlemen, is another small fact that you are to deny at the hazard of your souls, and upon the solemnity of your oaths. You are upon your oaths to say to the sister country, that the government of Ireland uses no such abominable instruments of destruction as informers. Let me ask you honestly, what do you feel, when in my hearing, when in the face of this audience, you are called upon to give a verdict that every man of us, and every man of you know, by the testimony of your own eyes, to be utterly and absolutely false ? I speak not now of the public proclamation for informers, with a promise of secrecy, and of extravagant reward : I speak not of the fate of those horrid wretches who have been so often transferred from the table to the dock, and from the dock to the pillory ; I speak of what your own eyes have seen, day after day, during the course of this commission, from the box where you are now sitting ; the number of horrid miscreants, who acknowledged, upon their oaths, that they had come from the seat of government—from the very chambers of the Castle—where they had been worked upon, by the fear of death and the hope of compensation, to give evidence against their fellows ; that the mild, the wholesome, and merciful councils of this government are holden over these catacombs of living death, where the wretch that is buried a man, lies till his heart has time to fester and dissolve, and is then dug up a witness !

Is this a picture created by a hag-ridden fancy, or is it fact ? Have you not seen him, after his resurrec-

tion from that region of death and corruption, make his appearance upon the table, the living image of life and of death, and the supreme arbiter of both? Have you not marked when he entered, how the stormy wave of the multitude retired at his approach? Have you not seen how the human heart bowed to the supremacy of his power, in the undissembled homage of deferential horror? how his glance, like the lightning of heaven, seemed to rive the body of the accused, and mark it for the grave, while his voice warned the devoted wretch of woe and death—a death which no innocence can escape, no art elude, no force resist, no antidote prevent. There was an antidote—a juror's oath!—but even that adamant chain, that bound the integrity of man to the throne of eternal justice, is solved and molten in the breath that issues from the informer's mouth; conscience swings from her moorings, and the appalled and affrighted juror consults his own safety in the surrender of the victim:—

“Et quæ sibi quisque timebat,
Unius in miseri exitium conversa tulere.”

Informers are worshipped in the temple of justice, even as the devil has been worshipped by Pagans and savages—even so in this wicked country, is the informer an object of judicial idolatry—even so is he soothed by the music of human groans—even so is he placated and incensed by the fumes and by the blood of human sacrifices.

Gentlemen, I feel I must have tired your patience; but I have been forced into this length by the prosecutor, who has thought fit to introduce those extraordinary topics, and to bring a question of mere politics to trial, under the form of a criminal prosecution. I cannot say I am surprised that this has been done, or that you should be solicited by the same inducements, and from the same motives, as if your verdict was a vote

of approbation. I do not wonder that the government of Ireland should stand appalled at the state to which we are reduced. I wonder not that they should start at the public voice, and labour to stifle or contradict it. I wonder not that at this arduous crisis, when the very existence of the empire is at stake, and when its strongest and most precious limb is not girt with the sword for battle, but pressed by the tourniquet for amputation; when they find the coldness of death already begun in those extremities where it never ends; that they are terrified at what they have done, and wish to say to the surviving parties of that empire, "they cannot say that we did it." I wonder not that they should consider their conduct as no immaterial question for a court of criminal jurisdiction, and wish anxiously, as on an inquest of blood, for the kind acquittal of a friendly jury.

I wonder not that they should wish to close the chasm they have opened, by flinging you into the abyss. But trust me, my countrymen, you might perish in it, but you could not close it; trust me, if it is yet possible to close it, it can be done only by truth and honour; trust me, that such an effect could no more be wrought by the sacrifice of a jury, than by the sacrifice of Orr.

As a state measure, the one would be as unwise and unavailing as the other; but while you are yet upon the brink, while you are yet visible, let me, before we part, remind you once more of your awful situation.

You are upon a great forward ground, with the people at your back, and the government in your front. You have neither the disadvantages nor the excuses of jurors a century ago. No, thank God! never was there a stronger characteristic distinction between those times, upon which no man can reflect without horror, and the present. You have seen this trial conducted with mildness and patience by the court. We have now no Jefferies, with scurvy and vulgar conceits, to browbeat

the prisoner and perplex his counsel. Such has been the improvement of manners, and so calm the confidence of integrity, that during the defence of accused persons, the judges sit quietly, and show themselves worthy of their situation, by bearing, with a mild and merciful patience, the little extravagancies of the bar, as you should bear with the little extravagancies of the press. Let me then turn your eyes to that pattern of mildness in the bench. The press is your advocate; bear with its excess—bear with every thing but its bad intention. If it come as a villanous slanderer, treat it as such; but if it endeavour to raise the honour and glory of your country, remember that you reduce its power to a nonentity, if you stop its animadversions upon public measures. You should not check the efforts of genius, nor damp the ardour of patriotism. In vain will you desire the bird to soar, if you meanly or madly steal from its plumage. Beware lest, under the pretence of bearing down the licentiousness of the press, you extinguish it altogether. Beware how you rival the venal ferocity of those miscreants, who rob a printer of the means of bread, and claim from deluded royalty the reward of integrity and allegiance. Let me, therefore, remind you, that though the day may soon come when our ashes shall be scattered before the winds of heaven, the memory of what you do cannot die; it will carry down to your posterity your honour or your shame.—In the presence and in the name of that ever living God, I do therefore conjure you to reflect, that you have your characters, your consciences, that you have also the character, perhaps the ultimate destiny of your country, in your hands. In that awful name, I do conjure you to have mercy upon your country and yourselves, and to judge now, as you will hereafter be judged; and I do now submit the fate of my client, and of that country which we have yet in common, to your disposal.

The following street ballad—the composition of one Kearney, a Dublin ballad singer—is remarkable, as showing that among the songs of the people the memory of Orr was treasured by them, even after the lapse of three quarters of a century. The ballad bears evident traces of having been composed in 1875.

In October, 'Ninety-seven,
May his soul find rest in heaven,
William Orr to execution was led on ;
The jury, drunk, agreed
That Irish was his creed,
For perjury and threats drove them on, boys, on.
Here's the memory of John Mitchel that is gone !

In 'Ninety-eight—the month July—
The informers' pay was high,
When Reynolds gave the gallows brave M'Cann ;
But M'Cann was Reynolds' first,
One could not allay his thirst,
So he brought up Bond and Byrne that are gone, boys, gone.
Here's the memory of the friends that are gone.

We saw a nation's tears
Shed for John and Henry Shears,
Betrayed by Judas Captain Armstrong.
We may forgive, but yet
We never can forget
The poisoning of Maguire that is gone, boys, gone.
Our high star and true apostle that is gone.

How did Lord Edward die ?
Like a man—without a sigh.
But he left his handiwork on Major Swan.
But Sirr, with steel-clad breast,
And coward heart at best,
Left us cause to mourn Lord Edward, that is gone, boys, gone.
Here's the memory of our friends that are gone.

September, 'Eighteen-three,
Closed this cruel history,
When Emmet's blood the scaffold flowed upon.
Oh, had their spirits been wise,
They might then realise
Their freedom—but we drink to Mitchel that is gone,
boys, gone.
Here's the memory of the friends that are gone.



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